

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ORTHOPHOENIX, LLC,

Plaintiff

v.

OSSEON THERAPEUTICS, INC.;  
OSSEON, LLC; and JOHN AND/OR JANE  
DOES 1-100,

Defendants.

C.A. No. 13-1004-LPS

C.A. No. 13-1008-LPS

**JURY TRIAL DEMANDED**

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

The plaintiff Orthophoenix, LLC and defendants Osseon therapeutics, Inc. and Osseon LLC pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims in this action WITH PREJUDICE, subject to the terms of that certain agreement entitled “**AGREEMENT**,” with each party to bear its own costs, expenses and attorneys’ fees and with each party knowingly and voluntarily waiving any right, arising under 35 U.S.C. § 285 or otherwise, to make a claim for any costs, attorney fees or other expenses associated with the matters settled by this Stipulated Motion for Dismissal with Prejudice.

DATED: OCTOBER 14, 2015

BAYARD, P.A.

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